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2877

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/058,263
Filing Date	January 25, 2002
First Named Inventor	Milad F. Tabet
Art Unit	2877
Examiner Name	Roy M. Punnoose
Attorney Docket No.	NAN028 US

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

## 1. Submission required under 37 CFR 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on \_\_\_\_\_  
(any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Preliminary Amendment (5 pgs. with 1 Replacement Sheet)
- iii. ☒ Information Disclosure Statement (IDS) with 1 Ref.
- ii. ☐ Affidavit(s)/Declaration(s)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_
- 06/02/2004 MAHMED1 00000050 10058263
- 01 FC:2801 385.00 OP

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The director is hereby authorized to charge the following fees, or charge any underpayments or credit any overpayments, to Deposit Account No. 50-2263
- i. ☒ RCE fee required under 37 CFR 1.17(e) for small entity
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☒ Payment by credit card (Form PTO-2038 enclosed) authorizing \$385.00

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Michael J. Halbert	Registration No. (Attorney/Agent)	40,633
Signature			Date May 28, 2004

Express Mail Label No.: EV 450 194 866 US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Milad F. Tabet  
Assignee: Nanometrics Incorporated  
Title: Method of Measuring Small Pads on a Substrate  
Serial No.: 10/058,263 Filing Date: January 25, 2002  
Examiner: Roy W. Punnoose Group Art Unit: 2877  
Docket No.: NAN028 US Confirmation No.: 4087

Santa Clara, California  
May 28, 2004

MAIL STOP RCE  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**PRELIMINARY AMENDMENT**

Dear Sir:

Prior to examination of the above-identified application, please amend the application as follows.

SILICON VALLEY  
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Santa Clara, CA 95054  
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